

VZCZCXYZ0000
PP RUEHWEB

DE RUEHKU #1169 3491041
ZNY SSSSS ZZH
P 151041Z DEC 09
FM AMEMBASSY KUWAIT
TO RUEHC/SECSTATE WASHDC PRIORITY 4312
INFO RUEHRH/AMEMBASSY RIYADH PRIORITY 2548
RHEFDIA/DIA WASHINGTON DC PRIORITY
RUEKJCS/SECDEF WASHINGTON DC PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RHMFISS/HQ USCENTCOM MACDILL AFB FL PRIORITY

S E C R E T KUWAIT 001169

NOFORN
SIPDIS

NEA/ARP, NEA/RA, S/CT

E.O. 12958: DECL: 12/14/2019
TAGS: [PTER](#) [PREL](#) [PGOV](#) [PINR](#) [KTFN](#) [KU](#)
SUBJECT: KUWAITI COURT CONVICTS/SENTENCES IMAM AND OTHERS
ON TERRORISM CHARGES

REF: A. TD-314/082601-09
[1](#)B. KUWAIT 1017

Classified By: Political Counselor Pete O'Donohue for reasons 1.4 b and
d

Convictions and Sentences

[1](#)1. (S/NF) Kuwait State Security (KSS) officers confirmed to GRPO officers that a Kuwaiti Criminal Court convicted on December 6 Kuwaiti national and local imam, Nasser Al-Otaibi (AKA Nasir Ali Sunaytan Khadran Ajab Al-Utaybi, AKA Shaykh Nasir, AKA Abu Ali) of "facilitating a hostile act against foreign countries" (Pakistan, Afghanistan, Iraq) and sentenced him to seven years in prison (ref A). Abdullah Nafi' Hudaib Al-Otaibi (AKA Salah Al-Din) and Homoud Dalmuk Mohammed Falih Al-Hajiri were also convicted on terrorism-related charges in the same trial -- performing a hostile act against a foreign country (Pakistan), and training on weapons to achieve an illegal purpose -- and sentenced to four years imprisonment each. Saudi national Abdullah Salim Abdullah Al-Qahtani was found guilty of lesser charges, and was released after paying a 1,000 KD fine (USD 3,500) and signing a pledge of good conduct.

Acquittals

[1](#)2. (S/NF) Also tried on similar charges, but acquitted, were Ayid Mid'ij Awadh Al-Shalahi, Mohammed Turki Sa'ud Al-Mutayri, Abd Al-Aziz Sayir 'Uwaayinn Al-Shammari and Ajran Faisal Sa'ad Al-Subai'i. (Note: KSS asserted to GRPO that these four were guilty, but attributed their acquittals to a lack of solid documentary proof of their support for terrorism. End note.)

KSS Satisfied with Outcome

[1](#)3. (S/NF) KSS officers conveyed to GRPO officers December 10 their satisfaction with the outcome of the trial and indicated that they intend to continue to question the two Al-Otaibis and Al-Hajiri -- currently incarcerated pending the outcome of appeals -- as necessary. KSS also relayed their belief that Nasser Al-Otaibi despite a likely appeal of his sentence, would serve the full seven-year sentence.

Comment:

[1](#)4. (S/NF) The June arrest and subsequent sentencing of

Nasser Al-Otaibi -- a well-connected Kuwaiti AQ facilitator (ref B) -- is a welcome development in Kuwaiti CT efforts. The more aggressive stance taken over the past year by KSS -- buttressed by growing GoK will to counter extremism -- has yielded a number of arrests and prosecutions. With the present sentence of Al-Otaibi and the February verdict against Mohammed Al-Ali (AKA Jawad) (ref B), the GoK has sentenced two of Kuwait's most notorious terrorism facilitators to seven years each, the stiffest terrorism-related penalties possible under Kuwaiti law. While the acquittals in the Al-Otaibi case highlight the continued frustrating limitations of Kuwait's counter-terrorism laws, the lengthy sentence for the imam demonstrates the GoK is nonetheless prepared to punish such offenses to the fullest extent possible. End comment.

For more reporting from Embassy Kuwait, visit:
visit Kuwait's Classified Website at:

<http://www.intelink.sgov.gov/wiki/Portal:Kuwa> it

JONES